

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, May 5, 2010, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilmen Gary Bates, Ron Case, Colin Harrison, and Jackie D. Orton. City Manager/Recorder Don Hartle was also present. A copy of the Notice and Agenda was mailed to the Mayor and Council members, posted, and emailed and faxed to the Herald Journal on April 30, 2010. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Alison Ewing
Lynsey Tibbitts Zan Murray
Chris Breinholt Thelma Seeholzer
Bonnie Case Eric Seeholzer
Art Smith

Opening Ceremony: Ron Case

The Council reviewed the agenda. Jackie D. Orton made a motion, seconded by Colin Harrison, to approve the agenda as presented.

YEA 4 NAY 0
Gary Bates
Ron Case
Colin Harrison
Jackie D. Orton

Councilman Carl Leatham arrived at the meeting at 6:03 p.m.

Alison Ewing lives in the Southwest Heritage Estates subdivision. Ms. Ewing stated that there is one street in and out of the subdivision, and that some people use the road around the subdivision as a racetrack. Ms. Ewing stated that there is no speed limit sign posted and no children at play sign posted. Ms. Ewing stated that she thinks that 25 MPH is still fast. Ms. Ewing stated that there are 3 street lights in the subdivision. Jackie D. Orton asked if Ms. Ewing would like the speed limit sign and children at play sign posted as an individual enters the subdivision. Ms. Ewing stated yes. Mayor Thomas G. Bailey asked about the speed limit. Ms. Ewing would like it to be less than 25 MPH. Don Hartle stated that the ordinance says that the speed limit on city streets is 25 MPH unless otherwise posted. Mr. Hartle stated that traffic signs are meant to move traffic, no control it. Mr. Hartle stated that law enforcement is to control traffic. Ms. Ewing stated that there are currently 2 pre-schools in the subdivision, and people speed to drop off and pick up their children. Mr. Orton asked what Ms. Ewing would like to see in her subdivision. Ms. Ewing stated that she would like to see a speed limit sign and a "slow children at play" sign. Colin Harrison stated that any street in Wellsville City has children at play on it, and it shouldn't change traffic. Ms. Ewing stated that she is concerned because there is only one way in and out of the subdivision. Mr. Orton stated that as people enter the subdivision off of Highway 89/91, he recommends that there should be a speed limit sign as an individual enters the subdivision. Ron Case suggested that Wellsville City request that Cache County Sheriff's Office post their mobile radar at the entrance of the subdivision. Mayor Bailey suggested posting the 25 MPH sign to see if it does any good in the subdivision. Gary Bates suggested that Ms. Ewing visit with the pre-school teachers and ask them to send a letter home reminding parents that they are in a neighborhood when they are dropping off and picking up their children from pre-school. Mayor Bailey stated to let the City Council know if there are any more problems.

Lynsey Tibbitts met with the City Council for a business license. Ms. Tibbitts stated that she would like to open a small state-licensed daycare in her home. Carl Leatham stated that the Planning Commission approved the conditional use permit. Colin Harrison asked if she would be caring for children all day, or just certain times of the day. Ms. Tibbitts stated that it is not a pre-school, but a daycare facility. Ms. Tibbitts stated that she would be caring for 2 children to begin with from 9:30 a.m. to 3:30 p.m. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve the business license for Lynsey Tibbitts

YEA 5

Gary Bates
Ron Case
Colin Harrison
Carl Leatham
Jackie D. Orton

NAY 0

The City Council discussed the selection of an engineering firm to provide engineering services for Wellsville City. Mayor Thomas G. Bailey stated that both Jones & Associates and JUB Engineering had attended City Council meeting previously to present what their firm had to offer Wellsville City. Mayor Bailey suggested that the City Council discuss each firm separately. Mayor Bailey stated that the City Council would begin with Jones & Associates. Jackie D. Orton asked what kind of discussion this would be. Mayor Bailey stated that the City Council should discuss the benefits that each engineering firm would provide to Wellsville City. Don Hartle stated that the City Council has already had their open discussion meetings with each engineering firm. Colin Harrison stated that Jones & Associates are a small firm with less overhead, and they would bring in outside experts when needed, which would save money for Wellsville City. Gary Bates asked each engineer their billable rate. Mr. Hartle stated that he doesn't know if Wellsville City wants to ask that kind of question right now because there are 5 to 6 different levels of individuals that help on a project, and each level bills a different amount. Mr. Bates asked who would be the project manager for Wellsville City from each firm. Chris Breinholt stated that he would be the project manager for Wellsville City from Jones & Associates. Zan Murray stated that he would be the project manager for Wellsville City from JUB Engineering. Mr. Orton stated that this issue was discussed with Jones & Associates, but how can Wellsville City be assured that if they choose 1 engineering firm that Wellsville City is still getting a good rate without bidding against each other. Mr. Breinholt stated that their rates are all the same for each client. Mr. Hartle asked if Jones & Associates chooses to raise their base rate, it has to be discussed with the City first. Mr. Breinholt stated that Jones & Associates adjust their base rate at the beginning of each year. Some cities asked that they do a presentation for the City Council, other cities do not. Mr. Orton asked if an engineering firm is selected tonight, in a few months, does Wellsville City have the option to select another engineering firm. Ron Case stated that Wellsville City is not signing a contract with any engineering firm. Mr. Case stated that Wellsville City would like to develop a long-term relationship with the engineering firm that is chosen tonight, but Wellsville City does have the option to shop. Mr. Breinholt stated that his billable rate is \$82.00 per hour. Mr. Murray stated no. Mr. Murray stated that his billable rate is \$153.00 per hour, other engineers in the firm are between \$83.00 per hour and \$110.00 per hour, and drafters are \$50.00 per hour. Mayor Bailey suggested that the discussion move to JUB Engineering. Carl Leatham asked if all of the work for Wellsville City is completed in-house. Mr. Murray stated that yes, for what Wellsville City does, a majority of it is. Mr. Orton asked who the #2 man at JUB Engineering is. Mr. Murray stated that it is John Powell. Mr. Murray stated that the nuts and bolts guy for the design work is Chris Slater. Mr. Orton stated that working with a single engineering firm may be easier; however, can Wellsville City have another engineering firm bid on a project. Mayor Bailey stated that both engineering firms are very familiar with Wellsville City and the day-to-day operation of the City. Mr. Orton stated that JUB Engineering works on municipalities, state, and federal projects, and may give them a broader knowledge. Mr. Murray stated yes, and working with UDOT is a process that takes time to understand. Mr. Orton stated that he feels an advantage of JUB Engineering is that they give the personal attention that Wellsville City need. Perry Maughan stated that both engineering firms deal with state and federal projects. Mr. Breinholt stated that their clients are municipalities, but they do have experience with state and federal projects. Mr. Orton asked where Jones & Associates office is located. Mr. Breinholt stated Ogden. Mr. Leatham asked if there was a black and white benefit with choosing to go with one engineering firm instead of working with both engineering firms. Mr. Hartle stated yes. Mr. Maughan stated absolutely. Mr. Harrison stated that both Mr. Breinholt and Mr. Murray agree. Mr. Bates asked after this observation, does everyone still feel that way. Mr. Hartle, Mr. Maughan, Mr. Breinholt, and Mr. Murray stated yes. Mr. Orton asked about Mr. Breinholt or Mr. Murray being transferred to another office. Mr. Breinholt stated that there is no other Jones & Associates office. Mr. Murray stated that it would be his choice to move, and that it would not be mandated from the corporate office. Mr. Harrison stated that comments from a City employee would prefer Jones & Associates, needs to be part of the consideration. Mr. Orton stated that the City Council needs to select the engineering firm that would be

best for Wellsville City. Mr. Orton stated that the City Council needs to be careful of personalities getting in the way of making this decision. Mr. Bates stated that if Wellsville City selects Jones & Associates as the engineering firm, they are already working on a big construction job, and asked if there are other resources to work on sewer, roads, and subdivisions. Mr. Breinholt stated yes. Mr. Case stated that he was on the City Council and pushed hard to go to multiple firms. Mr. Case stated that he respected Mr. Hartle's opinion, and has a great deal of respect for Mr. Breinholt and Mr. Murray. Mr. Case stated that he is not an engineer, so he has to rely on Mr. Bates, Mr. Hartle, and Mr. Maughan, and would base his vote on their recommendation. Mr. Bates stated that if Wellsville City were to hire Cindy Gooch to write a request for grant money for a foot bridge at 400 South and Center Street, it would be a stand-alone project, and both firms would be involved. Mr. Murray stated that Ms. Gooch is part of the JUB Engineering team, and is part of the package that he discussed in his presentation. Mr. Murray stated that JUB Engineering doesn't hire out Ms. Gooch. Mr. Hartle stated that as was discussed before, Wellsville City would continue to work with JUB Engineering on storm water because of the collation that Wellsville City is involved in. Mr. Hartle stated that Wellsville City uses Gateway Mapping for the cemetery, which is a subsidiary of JUB Engineering, and will continue to work with Gateway Mapping. Mr. Leatham stated that he is very torn on this decision, and would lean towards the comments made by the Public Works department. Mr. Leatham stated that there are extreme benefits from both engineering firms. Mr. Murray stated that he appreciates Mr. Hartle working with JUB Engineering on the storm water permitting. Mr. Murray stated that it can be a separate matter. Mr. Murray stated that he is willing to work with Wellsville City on storm water permitting. Mr. Breinholt stated that Jones & Associates does storm water permitting for other communities, but understands Mr. Hartle's concern. After discussion, Ron Case made a motion, seconded by Colin Harrison, to approve Jones & Associates as the City Engineering firm.

YEA 4

Gary Bates
Ron Case
Colin Harrison
Carl Leatham

NAY 1

Jackie D. Orton

Perry Maughan thanked the City Council for their support of the comments made by the Public Works department.

The City Council continued their discussion concerning the sidewalk in the Parker subdivision on 500 South from Center Street to 100 East. Don Hartle stated that when the preliminary plat was approved, the City Council stated that they would deal with the sidewalk issue at a later date. A decision needs to be made about the sidewalk so that the plans can be revised and the City Engineer can prepare the final plat. Mr. Hartle stated that members of the Planning Commission think that the meandering sidewalk design looks horrible. Different individuals have expressed different opinions about the sidewalk, such as, meandering the sidewalk the entire way, not just around the trees. Mr. Hartle stated that another suggestion was to pipe the ditch and put the sidewalk on top of the ditch. Mr. Hartle is concerned with that suggestion because if the pipe should ever get plugged, the sidewalk would have to be removed in order to unplug the ditch pipe. Mr. Hartle stated that his opinion is to meander the entire sidewalk, or move the sidewalk to the south side of 500 South, or to have no sidewalk at all. Gary Bates suggested meandering the entire sidewalk with nice gentle curves, which would leave about 6 feet between Eric Seeholzer's garage door and the sidewalk. Mr. Hartle stated that the meandering width of the sidewalk would vary between 3 feet to 4 feet overall. Mr. Bates stated that another option would be to remove the trees and run the sidewalk straight. Ron Case stated that his family doesn't care if the trees are removed. Perry Maughan asked about moving the sidewalk to the south side of 500 South. Carl Leatham stated that the problem with the sidewalk being too close to Eric Seeholzer's garage would be the same situation with the Maughan garage. Mr. Case stated the residents on the south side of 500 South are not and should not be part of this issue. Mr. Maughan stated that the only utility on the south side of 500 South is the sewer line, which is a straight line. Mr. Bates stated that the purpose of the sidewalk is to get children safely to the park and back. Mr. Case stated that he doesn't believe that the sidewalk will be used that much. Mr. Leatham stated that if the sidewalk is located on the south side of 500 South, people will have to cross 100 East and 500 South to use the sidewalk. Mr. Maughan stated that kids don't walk on sidewalks anymore. Mayor Thomas Bailey stated that if the sidewalk meanders around the trees, the roots of those trees will lift the sidewalk and the

City will have the same problem that they currently have around the City Square. Mr. Case suggested removing the trees and running a straight sidewalk to the east along on the north side of 500 South. Mayor Bailey stated that the sidewalks along Main Street and Center Street are used a great deal. Mr. Orton stated that a nice meandering sidewalk with no abrupt angles would be the best fit. Mr. Leatham stated that there is a lot of room for a straight sidewalk on the south side of the ditch. Mayor Bailey asked where the gas line is located. Mr. Case stated that he didn't know. Eric Seeholzer suggested opening an easement on 400 South to tie into the walking trail around the dam instead of a sidewalk on 500 South. Mr. Seeholzer stated that it would be a walking trail with the addition a couple of foot bridges. Bonnie Case stated that it would be a better use of money. Mr. Hartle stated that it would be a lot more expensive, and it would take years to complete it. Mr. Bates stated that Wellsville City would have a 50/50 shot of getting grant money to fund some of the project. Colin Harrison asked where the trail would come out at. Mr. Hartle stated that it would be north of the creek on 400 South and Center Street. Mr. Bates thinks that this is a good compromise. Mayor Bailey stated that there is a steep embankment on the east side of the creek that would need to be reviewed. Mr. Harrison stated that it would eliminate the bridge across the holler at 400 South and Center Street. Mr. Harrison thinks that this is a good compromise. Mayor Bailey suggested moving the sidewalk to the north instead of coming out at 400 South and Center Street. Mr. Orton suggested walking it. Mr. Bates stated that this is an opportunity to expand the trail system. Mr. Seeholzer suggested installing sidewalks at each end of Wellsville Dam instead of in the middle. Mr. Harrison asked what the time frame for completing the project would be. Mr. Bates stated 3 years. After discussion, Gary Bates made a motion, seconded by Jackie D. Orton, to approve abandoning the sidewalk on 500 South, but installing a sidewalk somewhere, which may be on 400 South.

YEA 4

Gary Bates
Ron Case
Colin Harrison
Jackie D. Orton

NAY 1

Carl Leatham

Department Reports:

Jackie D. Orton – 1) Invited 4 contractors on May 4, 2010 at 7:30 a.m. to discuss bids for the sidewalk project around the City Square. Brad Murray and Steve Kerr showed. Bids are due by May 11, 2010 at 3:00p.m.

Colin Harrison – 1) Shade Tree & Beautification Committee would like to replace the bench on the corner of 100 East and Main Street – will use a bench that was left over from the Wellsville Dam project – good Eagle Scout project – Chris Breinholt stated that his son would be interested. If not, Perry Maughan stated that he knows someone that would donate their time to replace the bench.

Ron Case – 1) CVTD about including a route to and from Wellsville to Logan - Don Hartle stated he is still working on it.

2) Information about the cemetery cleanup – May 19, 2010 – 6:00 p.m.

3) Fire Safety Workshop – presented by the Wellsville City Volunteer Fire Department – May 6, 2010 at 7:00 p.m.

4) Discussed portable, small radar detectors that can be attached to street signs – will find out more information about them.

- Gary Bates – 1) Repair on the softball diamond – 4-foot fence in front of the bleachers extended – has money in his budget – will work with Don Hartle.
- 2) Met with Brigham City on Monday night to discuss ideas for the bridge over Wellsville Dam. Believes using concrete as the base would work best – will bring in sketches.
 - 3) Fishing Tournament for Children – June 5, 2010 – free fishing
 - 4) Music in the Park – refer to newsletter from City utility bill
 - 5) Review signs posted at parks and Wellsville Dam.
 - 6) Ordered portable restrooms for the soccer fields at Willow Valley Middle School – rented for 2 months.
 - 7) Remove concrete from the Wellsville Dam banks before June 5, 2010 – will work on it.
 - 8) Thinks there is some sterile soil at the Wellsville Dam – asked Scott Wells to purchase some bags of fertilizer
 - 9) Randy Wall has changed his mind about the score board at the softball diamond for this summer – will ask again next summer.

Mayor Thomas G. Bailey – 1) Thank Marcene Parker for her time and talents for the float this year – first parade of the summer is this Saturday.

City Manager/Recorder Report:

Don Hartle – 1) Proceeding on the new 1-million-gallon reservoir – still working with the State of Utah. The State of Utah still has some money available, and if the interest is over 4%, this money can help pay the difference.

At 7:50 p.m., Carl Leatham made a motion, seconded by Gary Bates, to adjourn the meeting.

YEA 5
Gary Bates
Ron Case
Colin Harrison
Carl Leatham
Jackie D. Orton

NAY 0

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder